

Notice of Allowability

Application No.

09/650,034

Examiner

Alain L. Bashore

Applicant(s)

SIEGEL, BRIAN

Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to board decision 1-17-07.
2. ☒ The allowed claim(s) is/are 1-15, 17-28, 30, 39-44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other: _____


ALAIN L. BASHORE
PRIMARY EXAMINER

DETAILED ACTION

Examiner's amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Miller on 2-5-07.

The application has been amended as follows:

Cancel withdrawn claims 16, 29, 31-38, and 45-57.

Allowable Subject Matter

2. Claims 1-15, 17, 28, 30, 39-44 are allowed. The drawings filed 8-29-00 are acceptable.

Reasons for Allowance

3. The present invention includes independent claims 1, 17, 30, 39. Claims 1 and 30 recites a computer-implemented method of tracking online credit card usage by a user of a general purpose personal computing device operating as an Internet communication device, claim 17 recites a computer system, claim 39 recites a storage medium storing a set of computer instructions which, when executed on a personal computing device, carry out a background process while a foreground process is also carried out on the personal computing device, wherein the foreground process comprises an internet communication process in which an online credit card transaction is being carried out by entry of information into a web page.

Wong et al is considered the closest prior art. Wong teaches a method, corresponding system and storage medium of tracking online credit card usage by a user of a general purpose personal computing device operating as an internet communication device, comprising monitoring entries made on a point-of-sale device using a computer program that operates as a background process while a foreground process is also carried out (abstract; col. 1, lines 22-30, col. 2, lines 10-15), wherein the foreground process comprises an internet communication process in which an online credit card transaction is being carried out by entry of information entries made by recognizing of a credit card number in the entries made (abstract; col. 1, lines 22-30; col. 2, lines 10-15).

Wong et al does not disclose the claimed combination in each independent claim especially including:

In claim 1:

upon recognizing an instance of a credit card transaction and receiving verification of the instance of the credit card transaction, the background process automatically populating the web page with data stored in a user profile, and storing information describing the credit card transaction in a database accessible and controlled by the personal computing device.

In claim 17:

upon recognizing an instance of a credit card transaction and receiving verification of the instance of the credit card transaction, the background process automatically populating the web page with data stored in a user profile, and storing information describing the credit card transaction in the database.

In claim 30:

the computer program recognizing instances of a credit card transaction in

Art Unit: 1762

the entries made on the personal computing device by matching an entry with a stored sixteen digit credit card number entered into the web page; and upon recognizing an instance of a credit card transaction and receiving verification of the instance of the credit card transaction, the background process automatically populating the web page with data stored in a user profile, and asking a user to confirm storage of information describing the credit card transaction;

In claim 39:

upon recognizing an instance of a credit card transaction and receiving verification of the instance of the credit card transaction, the background process automatically populating the web page with data stored in a user profile, and storing information describing the credit card transaction in a database accessible and controlled by the personal computing device.


For these reasons claims 1, 17, 30, 39 are deemed to be allowable over the prior art of record, and claims 2-15, 18-28, 40-44 are allowable by dependency.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Alain L. Bashore
Primary Examiner
Art Unit 1762